

Report Date: March 15, 2022

United States District Court

for the

Eastern District of WashingtonFILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON**Mar 15, 2022**

SEAN F. McAVOY, CLERK

Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: Patrick Ryan O'Leary Case Number: 0980 2:21CR00127-TOR-1

Address of Offender: [REDACTED], Benton City, Washington 99320

Name of Sentencing Judicial Officer: The Honorable Dana L. Christensen, United States District Judge

Name of Supervising Judicial Officer: The Honorable Thomas O. Rice, United States District Judge

Date of Original Sentence: January 10, 2020

Original Offense: Possession of Methamphetamine with the Intent to Distribute, 12 U.S.C. §§ 841(a)(1), 841(b)(1)(A); Possession of a Firearm in Furtherance of a Drug Trafficking Offense, 18 U.S.C. § 924(c)(1)(A)(I)

Original Sentence: Prison - 60 months Type of Supervision: Supervised Release
TSR - 60 months

Asst. U.S. Attorney: George JC Jacobs, III Date Supervision Commenced: August 20, 2021

Defense Attorney: Federal Public Defenders Date Supervision Expires: August 19, 2026

PETITIONING THE COURT

To issue a summons.

On August 24, 2021, Mr. O'Leary's conditions of supervision were reviewed by the probation officer and he signed said conditions acknowledging he understood his requirements.

The probation officer believes that the offender has violated the following condition(s) of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
1	<p><u>Special Condition #7:</u> You must not purchase, possess, use, distribute, or administer marijuana, including marijuana that is used for recreational or medicinal purposes under state law.</p> <p><u>Supporting Evidence:</u> The offender is alleged to have violated special condition number 7, by ingesting marijuana on or about February 12, 2022.</p> <p>On February 15, 2022, this officer conducted a virtual contact with the offender. At that time, he admitted to ingesting marijuana on or about February 12, 2022.</p>
2	<p><u>Special Condition #5:</u> You must participate in substance abuse testing to include not more than 365 urinalysis tests, not more than 365 breathalyzer tests, and not more than 36 sweat patch applications annually during the period of supervision. You must pay part or all of the costs of testing as directed by the probation officer.</p>

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Supporting Evidence: The offender is alleged to have violated special condition number 5, by failing to report to Pioneer Human Services (PHS) for urinalysis testing on February 15, 2022.

On February 15, 2022, the undersigned instructed Mr. O'Leary to report to PHS for urinalysis testing on this same date. The offender failed to report for urinalysis testing on February 15, 2022, as instructed.

- 3 **Special Condition #7:** You must not purchase, possess, use, distribute, or administer marijuana, including marijuana that is used for recreational or medicinal purposes under state law.

Supporting Evidence: The offender is alleged to have violated special condition number 7, by ingesting marijuana on or about March 2, 2022.

On March 2, 2022, Mr. O'Leary reported to the U.S. Probation Office for a scheduled appointment. At that time, he submitted a urine specimen that returned presumptive positive for marijuana. Subsequently, Mr. O'Leary admitted to the probation officer that he ingested marijuana on or about March 1, 2022.

- 4 **Standard Condition #13:** You must follow the instructions of the probation officer related to the conditions of supervision.

Supporting Evidence: The offender is alleged to have violated standard condition number 13, as he failed to contact the probation officer as instructed on March 7, 2022.

On March 4, 2022, Mr. O'Leary advised the undersigned of his intention to move out of his approved residence due to a conflict with a family member. He indicated he would be moving out that upcoming weekend and was planning to move to Othello, Washington, or Benton City, Washington. The undersigned instructed Mr. O'Leary to contact the probation officer on March 7, 2022, to provide his new address.

On March 7, 2022, Mr. O'Leary failed to contact the probation officer as instructed. Over the next several days, this officer made multiple attempts to contact the offender, but was unable to reach him. Mr. O'Leary ultimately contacted this officer on March 14, 2022, at which time he provided his current address.

The U.S. Probation Office respectfully recommends the Court issue a summons requiring the defendant to appear to answer to the allegation(s) contained in this petition.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: March 15, 2022

s/Lori Cross

Lori Cross

U.S. Probation Officer

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THE COURT ORDERS

- ☐ No Action
- ☐ The Issuance of a Warrant
- ☒ The Issuance of a Summons
- ☐ Other



Thomas O. Rice
United States District Judge

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Date